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RUEHAD/AMEMBASSY ABU DHABI PRIORITY 0361
RUEHBJ/AMEMBASSY BEIJING PRIORITY 6803
RUEHBY/AMEMBASSY CANBERRA PRIORITY 9462
RUEHUL/AMEMBASSY SEOUL PRIORITY 5295
RUEHKO/AMEMBASSY TOKYO PRIORITY 1411
RUEHCHI/AMCONSUL CHIANG MAI PRIORITY 6247
RUEHDE/AMCONSUL DUBAI PRIORITY 0122
RUEAIIA/CIA WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

S E C R E T BANGKOK 000501

SIPDIS

STATE FOR ISN/CPI AND EAP/MLS, NSC FOR PHU

E.O. 12958: DECL: 02/27/2019

TAGS: [KNNP](#) [MNUC](#) [PARM](#) [PGOV](#) [PREL](#) [TH](#) [KS](#)

SUBJECT: M/V ANNE E: SLOW THAI PROGRESS ON SHIPMENT RECALL

REF: A. SECSTATE 16173

[1](#)B. HINES-FELIPE E-MAIL OF 2/5/2009

[1](#)C. 08 STATE 3743

[1](#)D. 08 ABU DHABI 178 AND PREVIOUS

[1](#)E. 08 SEOUL 1182

Classified By: POL Counselor George Kent, REASON 1.4 (B) AND (D)

[1](#)1. (S) On February 26, we delivered ref A non-paper regarding the shipment of anhydrous hydrogen fluoride (AHF) that was detained in Dubai and continues to be held in UAE custody to MFA Peace, Security and Disarmament Division First Secretary Chatvadee Orrattanachai. During the meeting, we emphasized Thailand's obligations under UN Security Council Resolution 1737, inquired about the Thai legal authorities regarding Waris Unitrary Corp,s false end-user information, and the steps the RTG was taking to recall the AHF. We also reiterated USG concerns about nuclear proliferation and the high priority the USG places on this issue. We noted our regular follow-up inquiries on the status of the AHF recall.

[1](#)2. (S) Chatvadee responded that the RTG was continuing to deal with the issue and would like to see it resolved, but that that there continued to be significant legal and logistical obstacles in the way. She said the RTG had told the company, Waris Unitrary, to recall the shipment, but had no legal authority to force it to do so. It was her understanding that Waris was working on the RTG recall request and was consulting with the South Korean company that had originally made the shipment; Waris wanted to return the shipment directly to South Korea and avoid Thailand altogether. Chatvadee admitted that a major stumbling block was that the South Korean company did not want to accept the shipment back, and that Thai authorities did not want the shipment to return to Thailand either. She assured us that she would send an official note to Waris Unitary to inquire as to the status of the recall.

[1](#)3. (S) Chatvadee reiterated several times that the RTG had no legal authority to compel Waris unitarily to recall the cargo, and that the RTG had no authority to recall the cargo itself. Chavadee said the MFA's understanding was that Waris had broken Thai law only in that the company had not obtained the license necessary to export the AHF, which was classified as a hazardous material. She said the MFA was unaware of any plans to file legal charges against the company for failing to obtain the license. In the end, she said, Waris must act.

After Waris reached some accommodation with the South Korean company, it must request a letter from the MFA to present to UAE officials in order for the UAE to release the cargo to back to the company. As yet, she said, the MFA had not received such a letter request.

